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**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Susumu KOJIMA et al.

Group Art Unit: 3747

Application No.: 10/790,084

Examiner: A. Castro

Filed: March 2, 2004

Docket No.: 118869

For: STARTING DEVICE FOR INTERNAL COMBUSTION ENGINE

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the November 15, 2004 Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks.

Accompanying the Office Action was an initialed form PTO-1449 which identified four references all of which were initialed. However, the form PTO-1449 had an attorney docket number of 116487 whereas the instant application has an attorney docket number of 118869. Applicants did file an Information Disclosure Statement with the application on March 2, 2004. The form PTO-1449 accompanying the Information Disclosure Statement identified eight references. A copy of the form PTO-1449 and a copy of the date-stamped receipt showing receipt by the U.S. Patent and Trademark Office are attached. It is respectfully requested that the incorrectly forwarded form PTO-1449 be forwarded to the correct Applicant and that the enclosed form PTO-1449 be initialed and returned to the Applicant showing consideration of the references by the Examiner. Should the Examiner be

unable to locate the references, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Claims 1-20 are pending in this application.

In paragraph 3, on page 2 of the Office Action, claims 1-20 were rejected under 35 U.S.C. §102(e) as being anticipated by Asaka et al. ("Asaka"), U.S. Patent Application No. 2004/0055553 A1. This rejection is respectfully traversed.

Asaka is not prior art to the claimed invention. Applicants claim priority from JP 2003-107961, filed April 11, 2003. A verified English translation of JP 2003-107961 is attached. Asaka was filed in the U.S. on September 2, 2003. Further, the Japanese Application from which Asaka was taken was published April 8, 2004. Thus, it is not prior art. As Asaka is not prior art, it is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-20 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Kurt P. Goudy  
Registration No. 52,954

JAO:KPG/tea

Attachments:

PTO Receipt for Filing of Papers  
PTO-1449  
Verification of Translation

Date: February 11, 2005

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

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